



2. In his Complaint, Plaintiff asserts the following claims: (1) a claim against Ramirez for breach of an oral agreement between to perform work as a guitar player on Princess's cruise line for 7 months at a pay rate of \$19,600; (2) a claim against Princess for violation of an implied and/or written contract to perform work as a guitar player on Princess's cruise line for 7 months at a pay rate of \$19,600; and (3) a claim against Princess for violation of Plaintiff's rights under the Americans with Disabilities Act of 1990 ("ADA") by refusing to hire him to perform on Princess's cruise line based solely upon his status as a disabled person. (Ex. A at ¶¶ 19-21)

3. Plaintiff seeks damages in his favor in an amount over \$120,000. (*Id.* at ¶¶ 22-26)

4. Princess received a copy of the Complaint via certified mail on February 27, 2019.

5. In response to the Complaint, Ramirez has filed an Answer and Motion to Dismiss. A true and correct copy of Ramirez's Answer and Motion to Dismiss are attached hereto as Exhibit "B."

6. Princess has not filed any response to the Complaint.

7. Plaintiff is a citizen of the Commonwealth of Pennsylvania, residing at 159 South Pine Street, York, PA 17403. *See* Ex. A at ¶ 1.

8. Defendant Ramirez is a citizen of the State of Florida, residing at 25 Plantation Drive, Vero Beach, FL 32966. *See id.* at ¶ 2.

9. Princess is incorporated in Bermuda and its headquarters and principal place of business in Santa Clarita, California. *See id.* at ¶ 3.

10. Neither of the Defendants are Pennsylvania citizens.

11. Under 28 U.S.C. § 1441, “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants, to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

12. Under 28 U.S.C. § 1331, which provides for federal question jurisdiction, the “district courts shall have original jurisdiction of all civil actions under the Constitution, laws, or treatises of the United States.” 28 U.S.C. § 1331.

13. Under 28 U.S.C. § 1332, which provides for diversity jurisdiction, the “district courts shall have original jurisdiction of all civil actions, where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between Citizens of different States.” 28 U.S.C. § 1332(a)(1).

14. Here, removal is appropriate because Plaintiff has asserted an ADA claim in his Complaint and because the parties to this action are citizens of different states and the amount in controversy exceeds \$75,000. As a result both

federal question jurisdiction and federal diversity jurisdiction exist and removal of this action is appropriate under 28 U.S.C. §§1441(a).

15. In accordance with 28 U.S.C. § 1446(b)(2)(A), Princess has obtained the consent of additional defendant Ramirez to the removal of this action. A true and correct copy of Defendant Ramirez's Consent is attached hereto as Exhibit "C."

16. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of the Notice of Removal has been provided to Plaintiff and has been filed with the Court of Common Pleas of York County, Pennsylvania.

WHEREFORE, Defendant Princess Cruise Lines, Ltd. respectfully request that the above-captioned action pending against it in the Court of Common Pleas of York County, Pennsylvania be removed to the United States District Court for the Middle District of Pennsylvania.

Respectfully submitted,

Dated: March 28, 2019

**BLANK ROME LLP**

/s/ Anthony B. Haller

Anthony B. Haller (PA Bar No. 37017)

Mark Blondman (PA Bar No. 38928)

(*pro hac vice* application to be submitted)

Rosemary McKenna (PA Bar No. 307796)

(*pro hac vice* application to be submitted)

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*Attorneys for Defendant  
Princess Cruise Lines, Ltd.*

**CERTIFICATE OF SERVICE**

I, Rosemary McKenna, Esquire, hereby certify that, on March 28, 2019, a true and correct copy of the foregoing Notice of Removal was served via first-class U.S. mail upon the following:

Adrian J. Thomas  
159 South Pine Street  
York, PA 17403  
*Pro Se Plaintiff*

Joseph Ramirez  
25 Plantation Drive  
Vero Beach, FL 32966  
*Pro Se Defendant*

/s Rosemary McKenna  
ROSEMARY MCKENNA